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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,777	06/15/2001	Kevin Collins	10006714-1	1608

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HEWLETT-PACKARD COMPANY
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EXAMINER

NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,777

Applicant(s)

COLLINS ET AL

Examiner

Thu Ha T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims **25-40** are presented for examination.
2. Claims 1-24 are cancelled.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 23, 2005 has been entered.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 25-40 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Wilson et al.**, (hereinafter Wilson), U.S. Patent No. **6,714,976**, in view of **Ramberg et al.**, (hereinafter Ramberg) U.S. Patent No. **6,857,013**.

6. As to claim 25, **Wilson** teaches the invention as claimed, including a method for diagnosing an application from a remote location the method comprising:

(a) providing an operational environment having an application interface to collect diagnostic information from the application upon request (abstract, figure 1, col. 4, line 40-col. 5, line 46 *—providing EM agents to collect diagnostic information*);

(b) enabling the application to execute within the operational environment the application being in communication with the application interface to provide diagnostic information about the application upon request (abstract, figures 2, 3, col. 5, line 55-col. 6, line 49, col. 7, lines 7-35 *—upon request (i.e., predefined event criteria at client) associating data to be collected with defined event (i.e., event correlation) at client and provide data collection*);

c) when requested,

i) the operational environment operable to collect the diagnostic information using the application interface (col. 4, lines 31-55, col. 5, line 5-col. 6, line 49, col. 11, line 24-col. 12, line 35);

ii) the application operable to provide the diagnostic information via the application interface (figure 2, col. 5, line 56-col. 6, line 49); and

iii) the operational environment operable to transmit the diagnostic information to the remote location (figures 1, 2, 7, col. 4, lines 55-67).

However, **Wilson** does not explicitly teach the feature of formatting the diagnostic information using the application interface and transmitting the formatted diagnostic information to the remote location.

Ramberg, in the related art, teaches the feature of formatting the diagnostic information using the application interface and transmitting the formatted diagnostic information to the remote location (abstract, col. 2, lines 39-67. col. 4, lines 10-67).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the teachings of **Ramberg** into **Wilson's** system because it would provide an efficient system to convert/translate diagnostic query into suitable format between plurality of networked device platforms and remote computer in order for remotely diagnosing and reconfiguring a plurality of network device platforms.

7. As to claim 26, **Wilson** teaches the invention as claimed, including a method as in claim 25, wherein the step of collecting the requested diagnostic information further comprises the step of collecting information about configuration of the application, application resources, and system resources used by the application (col.5, line 5-col. 7, line 6).

8. As to claim 27, **Wilson** teaches the invention as claimed, including a method as in claim 26 further comprising the step of enabling a user of the application to send the diagnostic information to a support location (figures 1, 2, 7, col. 4, lines 55-67).

9. As to claim 28, **Wilson** teaches the invention as claimed, including a method as in claim 25, further comprising the step of enabling a support person to request the diagnostic information for the application (figures 1, 6, col. 9, lines 10-35).

10. As to claim 29, **Wilson** teaches the invention as claimed, including a method as in claim 28, further comprising the step of enabling the support person to use a support tool to diagnose and interpret the diagnostic information for the application and related environment (figures 1, 6, col. 9, lines 10-35).

11. As to claim 30, **Wilson** teaches the invention as claimed, including a method as in claim 28, further comprising the step of sending files to a client computer upon which the application is executing to repair a problem diagnosed for the application (col. 5, lines 27-55).

12. As to claim 31, **Wilson** teaches the invention as claimed, including a method as in claim 25; however **Wilson** does not explicitly teach wherein the diagnostic information has defined uniform data formats and diagnostic information.

Ramberg, in the related art, teaches the feature of wherein the diagnostic information has defined uniform data formats and diagnostic information (abstract, col. 2, lines 39-67. col. 4, lines 10-67).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the teachings of **Ramberg** into **Wilson's** system because it would provide an efficient system to convert/translate diagnostic query into suitable format between plurality of networked device platforms and remote computer in order for remotely diagnosing and reconfiguring a plurality of network device platforms.

13. As to claim 32, **Wilson** teaches the invention as claimed, including a system for diagnosing an application from a remote location, comprising:

an operational environment having an application interface to collect diagnostic information from the application upon request from a remote location (abstract, figure 1, col. 4, line 40-col. 5, line 46 *—providing EM agents to collect diagnostic information*);

the application configured to execute within the operational environment, and the application being in communication with the application interface to provide diagnostic information about the application upon request (abstract, figures 2, 3, col. 5, line 55-col. 6, line 49, col. 7, lines 7-35 *—upon request (i.e., predefined event criteria at client) associating data to be collected with defined event (i.e., event correlation) at client and provide data collection*); and

a communications component for the operation environment, capable of transmitting diagnostic information to the remote location (figures 1, 2, 7, col. 4, lines 55-67).

However, **Wilson** does not explicitly teach the feature collecting formatted diagnostic information and transmitting formatted diagnostic information to the remote location.

Ramberg, in the related art, teaches the feature of collecting formatted diagnostic information and transmitting formatted diagnostic information to the remote location (abstract, col. 2, lines 39-67. col. 4, lines 10-67).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the teachings of **Ramberg** into **Wilson's** system because it would provide an efficient system to convert/translate diagnostic query into suitable format between plurality of networked device platforms and remote computer in order for remotely diagnosing and reconfiguring a plurality of network device platforms.

14. As to claim 33, **Wilson** teaches the invention as claimed, including a system as in claim 32, wherein the diagnostic information further comprises information about the configuration of the application, application resource, and system resources used by the application (col.5, line 5-col. 7, line 6).

15. As to claim 34, **Wilson** teaches the invention as claimed, including a system as in claim 32, further comprising a support tool located at the support location to allow a support person to interpret the diagnostic information (figures 1, 6, col. 9, lines 10-35).

16. As to claim 35, **Wilson** teaches the invention as claimed, including a system as in claim 32, wherein the application interface further comprises a single procedural interface that is coupled to a plurality of applications (figures 1, 6, 9, line 5-col. 10, line 33).

17. As to claim 36, **Wilson** teaches the invention as claimed, including a system as in claim 32, further comprising a remote support tool, configured for receiving and displaying the diagnostic information transferred by the communications component, having a user interface that is accessible to support personnel (figures 1, 6, col. 9, lines 10-col. 10, line 34, col. 16, line 10-col. 17, line 3).

18. As to claim 37, **Wilson** teaches the invention as claimed, including a system as in claim 32, wherein the remote support tool is used by the support personnel to view the diagnostic information and identify problems on the application (col. 16, line 10-col. 17, line 3).

19. As to claim 38, **Wilson** teaches the invention as claimed, including a system as in claim 32; however **Wilson** does not explicitly teach wherein the diagnostic information has defined uniform data formats and diagnostic information.

Ramberg, in the related art, teaches the feature of wherein the diagnostic information has defined uniform data formats and diagnostic information (abstract, col. 2, lines 39-67. col. 4, lines 10-67).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the teachings of **Ramberg** into **Wilson's** system because it would provide an efficient system to convert/translate diagnostic query into suitable format between plurality of networked device platforms and remote computer in order for remotely diagnosing and reconfiguring a plurality of network device platforms.

20. As to claim 39, **Wilson** teaches the invention as claimed, including a system as in claim 32, wherein a user activates the transfer of the diagnostic information that is sent to a support location (figures 1, 2, 7, col. 4, lines 55-67).

21. As to claim 40, **Wilson** teaches the invention as claimed, including a system as in claim 32, wherein support personnel activate a transfer of the diagnostic information through the remote support tool (figures 1, 6, col. 9, lines 10-col. 10, line 34, col. 16, line 10-col. 17, line 3).

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Frailong et al. (USPN 6,012,100), discloses system and method for configuring a remotely managed secure network interface.

Roytman et al. (USPN 2002/0012011), discloses system and method for distributed network management system.

Qiao (USPN 6,721,791), discloses system and method for trap control.

Kekic et al (USPN 6,664,978), discloses system and method for client-server computer network management architecture.

Black et al. (USPN 6,934,749), discloses system and method for tracking distributed data retrieval in a network device.

Meyer (USPN 6,701,364), discloses system and method for remote computer management using web browser application to display system hardware and software configuration.

Meyer (USPN 6,662,220), discloses system and method for remote computer management using web browser and hyper-media managed object applications.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

Art Unit: 2155

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "ThuHa Nguyen", with a long horizontal flourish extending to the right.

ThuHa Nguyen
Patent Examiner

November 23, 2005